IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3534 OF 2006

IN

APPEAL (LODGING) NO. 409 OF 2006

IN

WRIT PETITION NO. 195 OF 2005

Kamani Employees Union ... Appellant
(Orig.Respondent No.1)

Versus

Bank of Baroda & Ors. ... Respondents

Ms. Jane Cox for the appellant.

Mr. J.S.Salya i/b. M.V. Kini & Co. for Respondents Nos. 1 to 4.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.
DATE : 23rd July, 2007.

P.C.

1. Assuming that there is sufficient cause shown for condonation of delay in filing the appeal, we see no reason to interfere with the order impugned in the appeal. By the impugned order, the learned Single Judge has admitted the Petition for final hearing against the

order of the Industrial Court, Mumbai, directing the Petitioner (in the Writ Petition) to pay the money. On admission of that Petition, the learned Single Judge has stayed the operation of the order of the Industrial Court. Admitting petition for final hearing is in the discretion of the Court. If the petition is admitted and if the order of the Industrial Court is not stayed, the money is to be paid to the worker in terms of that order. Therefore, the learned Single Judge has stayed the implementation of the order of the Industrial Court. We do not find any illegality in the impugned order.

The Notice of Motion and the Appeal are disposed of.

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)